

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

LORI LYNN GRAFF,

Plaintiff,

vs.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

Civil No. 3:10-CV-05512-JRC

ORDER OF REMAND

This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local Magistrate Judges' Rule MJR 13. (See also Notice of Initial Assignment to a U.S. Magistrate Judge and Consent Form, ECF No. 3; Consent to Proceed Before a United States Magistrate Judge, ECF No. 7.) This matter is before this Court on parties' Stipulated Motion for Remand. (See ECF No. 16.)

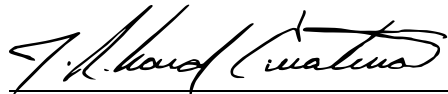
Based on the stipulation of the parties, it is ORDERED that the Commissioner's decision in regard to Plaintiff's application for disability insurance benefits under Title II of the Social Security Act be REVERSED and REMANDED to the Commissioner of Social Security for

1 further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand,
2 the Administrative Law Judge will conduct a de novo hearing, re-evaluate Plaintiff's mental
3 impairments, and give legally sufficient reasons for rejecting any medical source opinions.

4 This Court hereby reverses the Commissioner's decision under sentence four of 42
5 U.S.C. §405(g) with a remand of the cause to the Commissioner for further proceedings. *See*
6 *Melkonyan v. Sullivan*, 501 U.S. 89 (1991).

7 Upon proper presentation to this Court, Plaintiff will be entitled to reasonable attorney
8 fees and costs pursuant to 28 U.S.C. §§ 1920, 2412(d).

9 DATED this 16th day of December 2010.

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13 J. Richard Creatura
14 United States Magistrate Judge
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